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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/660,324	09/12/2000	Kie Y. Ahn	M4065.0127/P127-A	2581
24998	7590	03/10/2004	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 2101 L STREET NW WASHINGTON, DC 20037-1526			TOLEDO, FERNANDO L	
			ART UNIT	PAPER NUMBER
			2823	
DATE MAILED: 03/10/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/660,324	AHN ET AL.	
	Examiner	Art Unit	
	Fernando L. Toledo	2823	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 January 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 88,92-95,97-121 and 123 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 88,92-95,97-121 and 123 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 88, 92 – 95, 97 – 100, 105, 107 – 118 and 123 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stone (U. S. patent 5,770,476) in view of Jacobs et al. (U. S. patent 4,811,082) and Kumazawa et al. (U. S. patent 5,569,960).

In re claim 88, Stone discloses in the U. S. patent 5,770,476; figures 1 – 3 and related text, a process for forming an interposer layer element 100, including the steps of; providing an insulating layer 7; processing the insulating layer to produce at least one passive circuit element 17 on or within the insulating layer; bonding an integrated circuit chip 31 to the interposer layer 100 such that the integrated circuit chip is electrically connected to the passive circuit element (figure 2); forming a pattern on or within the insulating layer, the metallization pattern 21 connected with the passive circuit element 17 (figure 1).

Stone dose not show wherein the insulating layer is provided on at least one silicon substrate; wherein the passive circuit element is being separated from the silicon substrate by a portion of the insulating layer; wherein two or more of the individual solder ball leads use different types of solder having differing melting points, and a portion of the insulating layer

having a thickness such that the passive circuit element is electrically shielded from the silicon substrate.

Jacobs in the U. S. patent 4,811,082; figures 1 – 4 and related text, discloses an interposer device (layers 9 and 10), wherein the interposer has a silicon substrate with an insulating layer at least on one side; wherein the passive circuit element is being separated from the silicon substrate by a portion of the insulating layer; and a portion of the insulating layer having a thickness such that the passive circuit element is electrically shielded from the silicon substrate (figure 2); since a silicon substrate so that there will be a matching of thermal expansion coefficients between the solder balls and the substrate (columns 5 and 10).

Therefore, It would have been obvious to one having ordinary skill in the art at the time the invention was made to have in the invention of Stone the interposer with a silicon substrate with an insulating layer at least on one side; wherein the passive circuit element is being separated from the silicon substrate by a portion of the insulating layer; and a portion of the insulating layer having a thickness such that the passive circuit element is electrically shielded from the silicon substrate, since as taught by Jacobs, so that there will be a matching of thermal expansion coefficients between the solder balls and the substrate.

Stone in view of Jacobs still does not show wherein two or more of the individual solder ball leads use differing types of solder having differing melting points.

Kumazawa in the U. S. patent 5,569,960; figures 1 – 9 and related text, discloses that solder balls can be made of different types of solder so as to have different melting point solder balls throughout the substrate (Column 9, Lines 60 – 67).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have solder balls with different types of solder having differing melting points in the invention of Stone in view of Jacobs, since, as taught by Kumazawa, solder balls made with different solder material so as to have different melting point solder balls throughout the substrate provide the required electrical connection of the combination.

3. In re claim 92, Stone teaches that the insulating layer is formed of an oxide (column 5).
4. In re claim 93, Stone substantially teaches the invention as claimed, but fails to explicitly teach that the oxide is SiO₂.

However, silicon dioxide is a notoriously well-known insulating layer that can be readily grown from a silicon substrate. Examiner respectfully submits that Applicant did not seasonably contest this assertion. Therefore, it is admitted to be well known in the art.

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have silicon dioxide as the oxide layer in Stone's invention because it is readily grown and choosing a material for its disclosed intended purposes requires only ordinary skill in the art. Note that the specification contains no disclosure of either the critical nature of the claimed material being of silicon oxide or any unexpected results arising therefrom. Where patentability is said to be based upon particular chosen material or upon another variable recited in a claim, the Applicant must show that the chosen material is critical. *In re Woodruf*, 919 F.2d 1575, 1578, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990).

5. In re claim 94, Stone substantially teaches the invention as claimed, but fails to show that the insulating layer has a thickness within a range of three to five microns.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the insulating layer of a thickness of three to five microns, since insulating layer thickness are well known processing variable and it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233. Also, note that the specification contains no disclosure of either the critical nature of the claimed thickness or any unexpected results arising therefrom. Where patentability is said to be based upon particular chosen thickness or upon another variable recited in a claim, the Applicant must show that the chosen thickness are critical. *In re Woodruf*, 919 F.2d 1575, 1578, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990).

6. In re claim 95, Stone substantially teaches wherein the insulating layer includes polimydes among other suitable materials in the invention as claimed but fails to teaches that the insulating layer is formed of polyamide.

However, polyamides have been known in the art to be attractive materials to use as insulating materials because of their high temperature tolerance, they are free of pinholes and cracks, among other advantages. Examiner respectfully submits that Applicant did not seasonably contest this assertion. Therefore, it is understood that this assertion is adimtted prior art.

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a polyamide film as an insulating layer because it offers high temperature tolerance and are free of pinholes and cracks among other advantages. Note also that the specification contains no disclosure of either the critical nature of the claimed material

being of polymide or any unexpected results arising therefrom. Where patentability is said to be based upon particular chosen material or upon another variable recited in a claim, the Applicant must show that the chosen material is critical. *In re Woodruf*, 919 F.2d 1575, 1578, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990). Also, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a polymide as an insulating material, since it has been held to be within the general skill of a worker in the art to select a known material on the base of its suitability, for its intended use involves only ordinary skill in the art. *In re Leshin*, 125 USPQ 416.

7. In re claim 97, Stone teaches wherein the step of processing the insulating layer further comprises the step of producing several passive circuit elements on or within the insulating layer (column 6).
8. In re claim 98, Stone teaches that the passive circuit element is a resistor element (column 6).
9. In re claim 99, Stone teaches that the resistor is a thin film resistor (column 6).
10. In re claim 100, Stone teaches that the passive circuit element includes a capacitor element (column 6).
11. In re claim 105, Stone teaches that the passive circuit element includes an inductor element (column 6).
12. In re claim 107, Stone substantially teaches the claimed invention, but fails to show fabricating the passive circuit device for use in RF communication systems.

Art Unit: 2823

Since, Stone does form passive electrical devices, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to use Stone's invention in an RF communications system since it hold similar elements to that the Applicant is claiming.

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to form an RF communication system out of Stone's invention since it is well known in the art that FR communication system have the same elements as those on Stone's invention.

13. In re claim 108, Stone does not explicitly teach forming a circuitry to use in RF communication systems.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use Stone's invention for RF communication system since the invention is to be used for devices that uses interposers with at least one passive circuit element (column 1).

14. In re claims 109 and 110, Stone substantially discloses the claimed invention but fails to show wherein at least one passive device is for use in an amplifier (e.g. load or broad band).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use one of the passive devices in Stone's invention since it is well known in the art to use amplifiers comprising inductors.

15. In re claims 111 and 112, Stone substantially discloses the claimed invention but fails to show that wherein at least one passive circuit device is for use in an oscillator (e.g. control voltage oscillator).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use Stone's invention wherein at least one of the passive circuit device is used in an oscillator since it is well known that passive circuit device are used for that purpose.

16. In re claims 113 – 116, Stone discloses that the integrated circuit chip 31 is used in electronic devices.

Stone does not show that the electronic devices are analog circuitry, digital circuitry, microprocessor and memory chip.

However it is well known to someone having ordinary skill in art, that an electronic device may comprises analog circuitry, digital circuitry, microprocessor, memory chip, etc. It would have been obvious to one having ordinary skill in the art at the time the invention was made to form the electronic devices of Stone as part of analog circuitry, digital circuitry, microprocessor and memory chip since analog circuitry, digital circuitry, microprocessor and memory chip are well known in the art. These devices are known to comprise one of the products disclosed to be produced by Stone. It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the known teachings with those of Stone to enable provision of the components of the device.

17. In re claim 117, Stone discloses the step of forming a bonding layer, the bonding layer located in the area between the integrated circuit chip and the insulating layer (column 8).

18. In re claim 118, Stone discloses that the bonding agent is a conductive adhesive among other suitable material (column 8).

Stone does not show that is an epoxy.

Art Unit: 2823

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the conductive adhesive out of epoxy since it has been well known in the art that conductive adhesives are conventionally made out of epoxies.

19. In re claim 123, Stone discloses providing at least one passive circuit element in each area of the insulating layer, dividing the substrate into areas and bonding at least one integrated circuit chip to each of the areas of the insulating layer to from respective chip carriers (column 1).

20. Claim 106 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stone in view of Jacobs and Kumazawa as applied to claims 88, 90 – 95, 97 – 100, 105, 107 – 118 and 123 above, and further in view of Yamazaki (U. S. patent 6,002,161).

In re claim 106, Stone in view of Jacobs and Kumazawa does not explicitly show that the inductor element is a spiral inductor.

However, Yamazaki, in the U. S. patent 6,002,161; figures 1 – 15 and related text, teaches forming an inductor in a spiral conformation because the inductance properties of an inductor are directly related to the number of turns and hence it must be in a spiral conformation (column 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to form the inductor of Yamazaki in the invention of Stone in view of Jacobs and Kumazawa because the practitioners of Stone in view of Jacobs and Kumazawa can form the inductor with Yamazaki's teaching and as evidenced by Yamazaki the inductance properties of an inductor are directly related to the number of turns and hence it must be in a

spiral conformation (column 1). The selection of a known inductor pattern on the basis of its suitability for its disclosed intended purposes requires only ordinary skill in the art.

21. Claims 101 – 104 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stone in view of Jacobs and Kumazawa as applied to claims 88, 90 – 95, 97 – 100 above, and further in view of Farooq et al. (U. S. patent 5,912,044).

In re claim 101, Stone in view of Jacobs and Kumazawa does not teach that the capacitor is a thin film capacitor.

However, Farooq in the U. S. patent 5,912,044; figures 1 – 8 and related text, discloses a method of forming a thin film capacitor that are to be used typically in interposer layers because the signal propagation characteristics of interposer layers can be further enhanced by placing thin film capacitors (column 1).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to form a thin film capacitor as taught by Farooq as the capacitor taught by Stone in view of Jacobs and Kumazawa because it will enable the practitioners of Stone in view of Jacobs and Kumazawa to form the capacitor and by forming a thin film capacitor they will enhance the signal propagation of the device.

22. In re claim 102, Stone in view of Jacobs and Kumazawa does not teach that the thin film capacitor includes a dielectric layer.

However, Farooq teaches that the thin film capacitor includes a dielectric layer 16 (column 3).

Art Unit: 2823

23. In re claim 103, Stone in view of Jacobs and Kumazawa does not teach that the dielectric layer of the capacitor is an oxide.

However, Farooq teaches that the dielectric 16 can be made of oxides (column 4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the dielectric film out of an oxide, since it has been held to be within the general skill of a worker in the art to select a known material on the base of its suitability, for its intended use involves only ordinary skill in the art. *In re Leshin*, 125 USPQ 416.

24. In re claim 104, Stone in view of Jacobs and Kumazawa does not teach that the dielectric film can be formed of oxide-nitride-oxide films.

However, Farooq teaches that the dielectric 16 of the thin-film capacitor can be made of oxide-nitride-oxide films (column 4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the dielectric film out of an oxide-nitride-oxide film, since it has been held to be within the general skill of a worker in the art to select a known material on the base of its suitability, for its intended use involves only ordinary skill in the art. *In re Leshin*, 125 USPQ 416.

25. Claims 119 – 121 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stone, Jacobs and Kumazawa as applied to claims 88, 90 – 95, 97 – 100 and 105 - 118 above, and further in view of Solberg (U. S. patent 6,121,676).

In re claim 119, Stone shows forming a package out of the interposer element and at least one integrated circuit.

Stone in view of Jacobs and Kumazawa does not teach encapsulating the interposer element and the integrated circuit and having conducting leads on an outer side of the package.

However, Solberg in the U. S. patent 6,121,676; figures 1 – 19 and related text discloses a method of encapsulating an interposer element with at least one integrated circuit (column 8), the package having conducting leads on an outer side of the package to connect to a circuit board.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to encapsulate the package of Stone in view of Jacobs and Kumazawa as taught by Solberg because the teachings of Solberg will enable the practitioners of Stone in view of Jacobs and Yamazaki to form the package as taught by Solberg and therefore realize the function of the device by connecting it to a circuit board.

26. In re claim 120, Stone in view of Jacobs and Kumazawa do not explicitly show providing conductive leads connecting the interposer element and at least one integrated circuit to the conductive package leads of the circuit package.

However, Solberg teaches forming conductive leads 22 to the package in order to connect the circuit package to a circuit board.

27. In re claim 121, Stone shows providing an insulating layer to both surfaces of the substrate (figure 1).

Response to Arguments

28. Applicant's arguments filed 09 January 2004 have been fully considered but they are not persuasive for the following reasons.

Applicant contests that the solder balls of Jacobs cannot be combined with the teachings of Kumazawa, because the solder balls of Kumazawa are far larger in diameter than those formed by Jacobs.

29. Examiner respectfully submits that one of ordinary skill in the art would have reasonable expectation of success using the materials of Kumazawa to from the solder balls of Jacobs in the invention of Stone. Furthermore, Applicant does not point to the disclosure in Kumazawa indicating that the disclosed dimensions are critical. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Therefore the rejection is not overcome by pointing out that one reference does not contain a particular teaching when the relevance for that teaching was on the other reference. *In Re Lyons* 150 PQ41. Unobviousness cannot be established by attacking references individually when rejection is based on combination of references. *Ex Parte Campkell* 172 USPQ 91, *In Re Young* 159 USPQ 725. The 35 U.S.C. §103 rejection stands and is considered proper.

Conclusion

30. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fernando L. Toledo whose telephone number is 571-272-2187. The examiner can normally be reached on Mon-Fri 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on 571-272-1855. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2823

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-277-9197 (toll-free).


George Fourson
Primary Examiner
Art Unit 2823


FToledo
5 March 2004